

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 2546 of 2020

Arising Out of PS. Case No.-371 Year-2019 Thana- RAMPUR District- Gaya

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1. PREM YADAV, Son of Late Shiv Bachan Yadav,
2. Neelam Devi, Wife of Late Shiv Bachan Yadav,
Both Residents of Village - Rampur, P.S.- Rampur, District - Gaya.
... .. Petitioner/s
- Versus
- The State of Bihar Opposite Party/s
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Appearance :

For the Petitioner/s : Mr.Manish Kumar No2
For the Opposite Party/s : Mr.Bhanu Pratap Singh

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 27-02-2020 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners are apprehending their arrest in a case registered for the offence punishable under Section 307 of the Indian Penal Code and ¾ Explosive Act.

Allegation as per FIR is that both the petitioners along with some unknowns persons came at the house of the informant and tried to open the door and on the order of petitioner no. 1, petitioner no. 1 threw a bomb which exploded in the house of informant. When neighbours came hearing the noise of explosion, the accused persons fled away abusing the informant.

Learned counsel for the petitioners submits that the petitioners are neighbours and due to dispute over drainage some scuffle took place between the parties. No one sustained any injury and nothing has been seized from place of occurrence.

In the aforesaid facts and circumstances of the case, let



the petitioner no. 2, above named, in the event of her arrest or surrender before the court below within a period of six weeks from the date of receipt of the order, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Gaya, in connection with Rampur P.S. Case No. 371 of 2019, on the following conditions:

“(1) Petitioner shall cooperate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present, as directed by the Court and on his absence on two consecutive dates without sufficient reason, his bail-bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.”

In the aforesaid facts and circumstances, I am not inclined to enlarge the petitioner no. 1 on bail who has criminal antecedents and alleged to have thrown the bomb. Accordingly, the prayer for bail of the petitioner no. 1 is rejected in the aforesaid matter.

(Prabhat Kumar Singh, J)

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